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UNITED STATES DEPARTMENT OF AGRICULTURE
RESETTLEMENT ADMINISTRATION
Land Utilization Division
Land Use Planning Section

BULLETIN OF FEDERAL AND STATE LEGISLATION AFFECTING LAND USE

No. 15

Week Ending April 15, 1937

(Primarily for the information of Land Use Planning personnel of the Resettlement Administration and collaborating offices and agencies.)

Legislatures now in Session:

California	Massachusetts	Ohio
Colorado	Michigan	Oklahoma
Connecticut	Minnesota	Pennsylvania
Delaware	Missouri	Rhode Island
Florida	Nebraska	South Carolina
Illinois	New Hampshire	Tennessee
Iowa	New Jersey	Texas
Maine	New York	Wisconsin

I. FEDERAL LEGISLATION

EMERGENCY CONSERVATION

S. 2102. Mr. Black

To establish the CCC as a permanent organization under a director to engage in public works for protection, improvement, utilization of the natural resources of lands and waters under federal control and under local control on a cooperative agreement.

To Committee on Education and Labor April 7.

INTERSTATE COMPACTS

H. J. Res. 311. Mr. Lewis (Maryland)

To consent to a compact between Pennsylvania, Maryland, Virginia, West Virginia, and the District of Columbia, providing for the creation of a conservancy district consisting of the drainage area of the Potomac River for the purpose of preventing pollution of the Potomac River.

To Committee on Rivers and Harbors April 2.

TENANCY

H. R. 6240. Mr. Jones

To promote the ownership of farm homes by authorizing the Secretary of Agriculture to make loans to farm tenants, laborers, sharecroppers (preference being given to married persons or those having dependent families) for the purchase of economic farm units.

The Secretary is authorized to appoint in each county, in which activities are carried on, a committee composed of three farmers who shall receive applications to finance the acquisition of farms by means of such loans and examine and appraise the farm to which the application for a loan is made. The loans may be made for not more than thirty years at the rate of 3% and the contract shall assure that the farm shall be maintained in repair and without waste. The borrower shall pay the taxes and insurance and may not transfer any interest therein without the consent of the Secretary. \$50,000,000 annually is appropriated to make such loans. An annual appropriation of \$75,000,000 for two years is authorized for the purpose of making rehabilitation loans for the purpose of purchasing livestock, farm equipment and family subsistence. Title III authorizes the Secretary to develop a program of land conservation under which program he may purchase submarginal lands. For this purpose there is an appropriation of \$10,000,000 for the coming fiscal year and \$20,000,000 for each of the three fiscal years thereafter. Title IV authorizes the Secretary to establish in the Department of Agriculture a Farm Security Administration to assist in the exercising of the powers and duties conferred by the Act.

Committee on Agriculture April 8.

TENNESSEE VALLEY AUTHORITY

H. R. 6074. Mr. Rankin

To extend the provisions of the Tennessee Valley Authority Act to include the Tombigbee and Bear Creek River Basins.

Committee on Military Affairs April 1.

II. STATE LEGISLATION

(Includes only outstanding proposals likely to be of interest to Legislatures other than the one in which the bill is introduced.)

DRAINAGE, IRRIGATION AND FLOOD CONTROL

Arkansas. H. B. 465. Mr. Warfield.

To create a Flood Control Commission for the purpose of constructing or improving flood control works with the incidental power to relocate or revise bridges, buildings, roads, streets, railroads, and service lines of utilities. All such work undertaken shall be outside the boundary limits of any existing levee or drainage district. The Commission is authorized to cooperate with the War Department, and may receive on behalf of the State any Federal grants or loans to be used within the state for flood control purposes.

Approved March 9, Laws 1937, Act 312.

Idaho. E. B. 400. State Affairs Committee.

To create flood control districts for the conserving and developing of natural resources of the State. Such districts may be organized under the provisions of Drainage District laws and may have the additional power to construct and operate water impounding areas, reservoirs and levees and the construction of electric power plants and transmission systems. Such districts shall cooperate with the federal government in the surveying and construction of the necessary flood control works.

Approved March 17.

GOVERNMENT ORGANIZATION

Colorado. S. B. 600. Mr. Headlee.

To reorganize the administrative departments of the state government. Provision is made for an executive department, department of finance and taxation, department of auditing, department of law, department of education, department of state, and a governor's council. In the executive department there shall be a division of conservation which includes the state board of land commissioners, state planning commission, department of water resources, and rural forestry. Within the executive department there is also a division of agriculture which shall contain the bureau of plant and insect control, the director of markets and the director of agriculture. Provision is also made for a complete reorganization of all departments in the interest of efficiency and economy.

As amended April 2 in Senate.

Michigan. H. B. 366. Messrs. Lee and Adams.

To create a state land office board (3 members appointed by Governor) to control, lease or sell tax-reverted lands belonging to the state. The board may sell or lease the lands acquired at private or public sale for not less than the appraised valuation fixed by the board for cash or on time payments. The board may provide for the use of any lands by the state or political subdivision, or make such other disposition thereof as the board deems will serve the best interests of the state.

To Committee on State Affairs March 23.

GRAZING

Montana. H. B. 100. Livestock and Public Range Committee.

This bill is a complete revision of the Montana grazing laws, Chapters 194 and 195, Laws of 1935. The main purpose of the revision is to formulate existing practices of the State Grazing Commission and of the Associations into Statutes. Some of the more important features are that: The Commissions and the Districts are dealt within the same law, Commission approval is required to organize a district, the right of district members to obtain grazing privileges is defined, and the rights of a district with respect to trespassing stock grazing within it are clarified.

Vetoed March 18.

Montana. H. B. 126. Mr. Wood.

To limit the expenditures of funds received under the Taylor Act to range improvements.

Approved February 25, Laws 1937, Chapter 55.

North Dakota. H. B. 318. Mr. Holmquist.

To amend the North Dakota Grazing Law, Chapter 106, Laws of 1935, to permit the incorporation of cooperative grazing associations upon federal purchase projects of less than 50,000 acres and to change the provisions relating to the elections of directors as they apply to such smaller grazing districts.

Approved March 9.

Utah. S. B. 17. Messrs. Hopkins and Holmes.

To provide for the distribution of funds received by the State under the provisions of the Taylor Grazing Act. Funds received from the

lease or sale of public lands shall be pro-rated to each school district and the funds received from grazing fees shall be pro-rated to each grazing district and within the district such funds are to be pro-rated among the public lands within the county and the expenditure of such funds for range improvement, control of predatory animals and rodents under the direction of the Advisory Board of the Grazing District.

Approved March 9.

INTERSTATE COMPACTS

Missouri. H. B. 325. Mr. Elliott.

To authorize the governor to enter an agreement or compact with the State of Illinois providing for the incorporation and creation of "The St. Louis Interstate Regional District". The regional authority created under the compact shall prepare and adopt a master plan of the district for the purpose of securing coordinated physical development by securing an equal distribution of population and an arrangement of land use throughout the district. The authority may adopt regulations governing the subdivision of land and all subdividing within the area shall conform to such regulations. The authority shall make an annual report to the legislatures and congress of its operations with any recommendations for changes in its powers and for the better conduct of commerce passing in and through the regional district. Under this compact each state is to be obligated to the extent of \$5,000 for each year.

Introduced February 25.

New Mexico. S. B. 60. Mr. Harris.

To extend the interstate compact to conserve oil and gas with the States of Texas, Oklahoma, California, Kansas, for the period of two years.

Approved February 17, Laws of 1937, Chapter 16.

New Mexico. S. B. 234.

To ratify the Rio Grande compact relative to the use of the water of the Rio Grande River with the States of Colorado, New Mexico and Texas.

Approved March 17.

Pennsylvania. S. B. 52. Mr. Roberts.

To create a Commission of Interstate Cooperation consisting of five members from each house and five State officials appointed by the Governor.

Approved March 24, Act No. 35, Acts 1937.

Vermont. H. B. 368. Conservation and Development Committee.

To ratify a compact with the states of Massachusetts, Connecticut, and New Hampshire for the creation of a commission to facilitate flood control works on the Connecticut River.

Introduced April 3.

LAND USE

Georgia. H. B. 676. Mr. Lanier.

To create Soil Conservation Districts. This Bill is similar to the Standard Act of the Department of Agriculture. However, there is no provision for a board of adjustment and the districts are made

agencies of the state and not bodies politic and corporate.

Approved March 23.

Iowa. H. B. 529. Committee on Roads.

To establish a farm-to-market road system in cooperation with the federal government.

To Sifting Committee April 5.

Oklahoma. H. B. 541. Mr. Hughes.

To authorize the Board of County Commissioners in any county in a wind erosion area designated by the State Committee, in which no Soil Conservation District has been created and land use regulations have been adopted, to order the eroded land cultivated, plowed, listed, or any other steps necessary to control wind erosion, and if the owner fail to comply, the county board may enter and do the necessary work assessing the costs against the property and may be collected as taxes.

Introduced March 30.

Oklahoma. S.J.R. 13. Mr. Whitaker.

To authorize the state tax commission to supervise and direct a state-wide land classification and valuation project to bring about equalization of tax assessments. County officers are directed to cooperate with and assist the commission in its survey. There is to be an appropriation of \$50,000 dollars annually.

Introduced March 15.

Pennsylvania. H. B. 1959. Mr. Westrick.

To authorize the creation of soil conservation districts to engage in soil conserving activities. This Bill embodies the principles of the Standard Soil Conservation Act of the Department of Agriculture and provides a \$10,000 appropriation for the biennium.

To Committee on Agriculture March 22.

South Carolina. S. B. 588. Committee on Highways.

To authorize the Highway Department to construct farm-to-market roads in cooperation with the federal government.

Introduced March 31.

South Carolina. H. B. 868. Committee on Roads, Bridges and Ferries.

To authorize the state highway department to construct federal aid highways, including farm-to-market roads in cooperation with the federal government under the state aid road act of 1936 (Public 686 - 74th Congress).

Introduced April 1.

South Dakota. H. B. 254. Committee on Agriculture.

To accept the provisions of the Soil Conservation and Domestic Allotment Act and appoint the State Agricultural Extension Service as the agency of the State to formulate and administer plans pursuant to the terms of this Act. The agency may receive and disburse any funds appropriated in furtherance of the plans as approved by the Secretary of Agriculture.

Approved March 6.

Vermont. H. B. 352. Committee on Conservation.

To encourage the economic management and development of forests. A county conservation board may be created in each county for the purpose of promoting private forestry and to make available the services of the county forester, to assist town listers in appraisal of forest

lands for tax purposes, to disseminate conservation information, to cooperate with the federal government and state agencies in the conservation of natural resources and to assist private owners in the construction of terraces, dams, ditches, strip cropping, furrowing, contour cultivating, irrigation. The county forester shall make plans for management and reforestation of forests, assist land owners to market forest products, assist in carrying out a farm forestry extension program, assist land owners in the formation and execution of soil conservation practices. Rules and regulations are prescribed for cutting timber and the dates for beginning and completing such cutting. After the cutting the owner shall reforest the area and if he fail the county board may inspect such lands and submit a plan for reforestation to the owner and if the owner fail to carry out the recommendations the county board may enter upon the woodland and carry out the plan.

Introduced April 2.

Washington. H. B. 507. Flood Control Committee.

To authorize the creation of flood control districts for the control of a part or any stream system or tributary, for the protection against tidal or any other body of water. Each district may be created by petition of 50% of the acreage proposed to be included within the district to the State Director of Conservation who shall cause an investigation to be made, and upon a satisfactory finding he shall appoint a commission to determine the feasibility of the project proposed and the boundaries of the district. The governing body of the district shall investigate, plan, construct, improve or repair flood control works necessary to control floods. The Commission shall cooperate with any State agency or the United States in investigating or controlling floods. Public lands may be included within the districts.

Approved March 13, Laws 1937, Chapter 72.

Washington. H. B. 696. Mr. Cox.

To accept the provisions of the Soil Conservation and Domestic Allotment Act and appoint the State College of Washington as the agency of the state to carry out the policies and purposes of the Act and to formulate and administer state plans pursuant to the terms of the Act. The College is authorized to receive and disburse all grants of money or other aid in the execution of the plans.

Approved March 16, Laws 1937, Chapter 175.

PLANNING

Arkansas. H. B. 363. Mr. Coates.

To authorize the creation of County Planning Boards to plan for the orderly and economic development of counties, including the conservation and better utilization of natural resources and public works.

Approved March 17, Laws 1937, Act 246.

Missouri. H. B. 431. Mr. Schick.

To authorize the creation of neighborhood protective and improvement associations. These are to be formed for the purpose of planning in urban areas or districts. Where there is no planning commission or where the planning commission fail to act, the owners of 60% of the land in a particular area may present a plan to the governing body of a city providing for zoning, parks, landscaping, location of pub-

lic utilities, and general improvements. In cities having a planning commission the governing body shall refer the plan to such commission which shall make a report within 45 days. Failure to make a report shall be deemed approval of the plan. The governing body may or may not accept such plan, but if accepted it shall constitute the neighborhood plan for the district involved and shall be published and become effective and have the force and effect of an ordinance. Provision is made for amending the plan by the governing body and the city shall carry out such improvements as are recommended in the plan.

Introduced April 2.

North Carolina. H. B. 164. Mr. Ward.

To continue the State Planning Board under the direction of the Governor. The Board has advisory and recommendatory powers; may co-operate with other governmental agencies; may employ means of publicity and education; and may prepare and submit drafts of legislation for the carrying out of its plans.

Ratified March 22.

PUBLIC LANDS

Idaho. H. B. 338.

To authorize the State Board of Land Commissioners to acquire or lease property for the development of state forests and parks.

Approved March 17.

Minnesota. H. B. 1571. Mr. Lockwood.

S. B. 1379.

To create a Commission (5 members of House 5 Senate members, and Commissioner of Conservation) to make an investigation and study of the development of woodlots, windbreaks, and shelterbelts in agricultural areas, classification and zoning of tax-forfeited lands, into agricultural and non-agricultural areas, the payment of indebtedness against state forest lands and conservation areas and make a report with recommendations to the next legislature. An appropriation of \$10,000 is proposed.

Introduced March 29.

Vermont. H. B. 265.

To authorize the State Forester to purchase lands in the name of the state and enter into agreements with the federal government for the administration of state forests. On lands acquired by the federal government, the state shall make payments in lieu of taxes.

Approved March 24.

Washington. H. B. 274. Rules Committee.

To authorize counties and municipalities and the state forest board to exchange certain lands with each other and with the federal government for the purpose of consolidating and blocking up forest lands.

Approved March 13, Laws 1937, Chapter 77.

Washington. S. B. 210. Committee on Forestry.

To provide for the acquisition, seeding and administration of lands for State forests with funds derived from the sale of utility bonds to the value of \$300,000.

Approved March 10, Laws 1937, Chapter 104.

REAL PROPERTY

Arizona. H. B. 32. Mr. Sullivan.

To license and regulate the real estate business. Licenses are to

be granted by the state land commissioner, who shall act as real estate commissioner, to applicants who qualify under the rules set forth in the act for real estate salesmen and brokers.

Approved March 13, Laws 1937, Chapter 53.

Oklahoma. S. B. 312. Mr. Chamberlin.

To authorize cities, towns, counties, and other public bodies to aid housing projects by furnishing parks, playgrounds, streets, improvements, and facilities. Such political subdivisions are authorized to contract for payments for such improvements, services, and facilities for the benefit of the housing projects.

Introduced March 10. Judiciary (2) Committee.

Pennsylvania. H. B. 2090. Mr. O'Brien.

To license and regulate real estate appraisers. The department of public instruction shall issue licenses to qualified applicants and enforce rules and regulations for the government of the business of land appraising.

Committee on State Boards, March 22.

North Carolina. S. B. 145. Messrs. Sanders and Johnston.

To create a Real Estate Commission with the power to license and regulate real estate brokers and salesmen, and providing for penalties for violations and conditions and requirements of applicants.

Ratified March 22.

TAXATION

Minnesota. H. B. 1672. Mr. Powers.

To provide for repurchase of tax-reverted lands (title absolute in state) within one year from date of this act, at 60% of taxes accrued at time of forfeiture, in ten equal annual installments.

Introduced March 20.

Minnesota. S. B. 1351. Mr. Lommen.

This Bill is similar to S. B. 1383, granting an option to repurchase it any time before one year from passage of the bill. It also provides that no person shall be evicted by any public authority from forfeited lands within two years after forfeiture, whether or not the option to repurchase has been exercised.

Introduced March 30.

Minnesota. S. B. 1383. Mr. Dahl.

To authorize any former owners of land forfeited to the State for nonpayment of taxes for 1926, 1927, 1928, or 1929 to repurchase his land not later than May 1, 1938, unless it had been previously sold, for three-fifths of the taxes for which it was forfeited. The purchase price is payable in ten annual installments under a contract for deed, which is cancellable on default of any of the installments or the current taxes. The bill also prohibits sales of land which has reverted to the State for tax delinquency until after November 1, 1937.

Introduced March 30.

